



U.S. Department of Justice

United States Attorney  
Southern District of New York

MEMO ENDORSED

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

September 12, 2008

BY FACSIMILE

The Honorable Richard J. Sullivan  
United States District Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street

USDS SDNY
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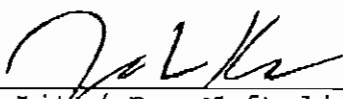
Re: United States v. Alberto W. Vilar and Gary A. Tanaka, S3 05 Cr. 621 (RJS)

Dear Judge Sullivan:

The parties respectfully request permission to submit the joint proposed Requests to Charge on Monday, September 15, 2008 instead of tonight so that we can continue to work towards agreement on as much of the charge as possible over the weekend.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

By:   
Marc Litt/ Ben Naftalis/ Josh Klein  
Assistant United States Attorneys  
(212) 637-2295/-2456/-2397

cc: All Counsel

Request granted. The joint proposed Request to Charge shall be filed by 9/15/08 at 12 noon.

SO ORDERED  
Date: 9/12/08  
RICHARD J. SULLIVAN  
U.S.D.J.